BEST COPY
AVAILABLE

MONTANA LEGISLATIVE HISTORY

Chapter 606 19 81

Bill H 646 S _____ Original bill & history ____C

H. Committee on Human Services			S. Committee on Public Health		
Hearing Date(s)	2-13	✓ C	Hearing Date(s)	3 16	____C
	2-16	✓ C		3 26	____C
	_____	____C		_____	____C
	_____	____C		_____	____C
Date Out	2-17	____C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

INTRODUCED: 2/5
REFERRED TO COMMITTEE ON JUDICIARY: 2/5
HEARING: 2/17
BILL DIED IN COMMITTEE

HB 645—BURNETT—TO ALLOW A PUBLIC EMPLOYEE TO CHOOSE WHETHER TO BE A MEMBER OF A LABOR ORGANIZATION ON AN INDIVIDUAL BASIS....
INTRODUCED: 2/5
REFERRED TO COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS: 2/5
HEARING: 2/17
REPORT: DO NOT PASS, 2/18
SUBSTITUTE MOTION, 2/18, THAT THE BILL BE PRINTED AND PLACED ON 2ND READING.
MOTION FAILED, YEAS: 18; NAYS: 80
REPORT: ADOPTED, 2/21
BILL KILLED: 2/21 YEAS: 83; NAYS: 10

HB 646—DUSSAULT—TO REVISE AND CLARIFY THE STATE LAWS RELATING TO CHILD DAY-CARE FACILITIES....
INTRODUCED: 2/5
REFERRED TO COMMITTEE ON HUMAN SERVICES: 2/5
HEARING: 2/13
REPORT: DO PASS AS AMENDED, 2/17
2ND READING: 2/21, YEAS: 72; NAYS: 18
3RD READING: 2/25, YEAS: 81; NAYS: 17

TRANSMITTED TO SENATE: 2/25
REFERRED TO COMMITTEE ON PUBLIC HEALTH: 3/3
HEARING: 3/16
REPORT: 3/26, BE CONCURRED IN, AS AMENDED
STATEMENT OF INTENT AMENDED
2ND READING: 3/31, YEAS: 37; NAYS: 8
ON MOTION, 3/31, RULES SUSPENDED, PLACED ON 3RD READING
3RD READING: 3/31, YEAS: 39; NAYS: 11

RETURNED TO HOUSE WITH AMENDMENTS: 3/31
2ND READING: 4/9, BE NOT CONCURRED IN MOTION
YEAS: 48; NAYS: 43
REFERRED TO FREE CONFERENCE COMMITTEE: 4/9

FREE CONFERENCE COMMITTEE REPORT NO. 1: 4/14
HOUSE
2ND READING: 4/22, YEAS: 75; NAYS: 15
ON MOTION, 4/22, RULES SUSPENDED, PLACED ON 3RD READING
3RD READING: 4/22, YEAS: 74; NAYS: 20

SENATE
2ND READING: 4/23, BE CONCURRED IN
3RD READING: 4/23, YEAS: 47; NAYS:

TRANSMITTED TO GOVERNOR: 4/23
ACTION: SIGNED, 5/1
CHAPTER 516

HB 647—KREBSBACH—TO REQUIRE PARENTS TO SEND A CHILD TO SCHOOL UNTIL THE CHILD REACHES 16 OR UNTIL HE COMPLETES THE 8TH GRADE, WHICHEVER OCCURS FIRST.....
INTRODUCED: 2/5
REFERRED TO COMMITTEE ON EDUCATION: 2/5
HEARING: 2/13

STATUS SHEET

HUMAN SERVICES COMMITTEE

1981 Legislature

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Ou
HB 634	To create a board of respiratory therapy and cardiopulmonary technology; providing for its powers and duties; requiring a license for the practice of res.&cardio tech.	2/6	Bengston	2/16	Do Not Pass	2/13
HB 664	To provide a children of dissolved marriages grant program administered by the SRS and funded by filing fees for dissolution.	2/6	Vincent	2/13	Do Pass	2/16
HB 646	To revise laws relating to child day-care facilities; to clarify rulemaking auth. of the DHES; to require regis. of family day-care homes	2-5	Dussault	2/13	Do Pass as Amended	2/17
HJR 26	Requesting an interim study of the feasibility of combining in one dept. functions relating to developmental disabilities presently performed by SRS.	2/7	Moore	2/16	(see page 14)	
SB 230	An act to allow physical therapists to evaluate without referral.	2/7	Hager		(see page 12)	
HB 686	Revising definitions in Title 50, to allow for licensure of residential care facilities;	2/9	McLane	2-13-81	Do Pass as Amended	2/17

Form CS-32
1-79

MINUTES OF THE HUMAN SERVICES COMMITTEE MEETING
February 13, 1981

The meeting was called to order by Chairman Budd Gould at 12:20 p.m., February 13, 1981, in Room 103, Capitol Building. All members were present except Representatives GARY BENNETT, KERRY KEYSER and JOE BRAND.

HOUSE BILL 646.

REP. ANN MARY DUSSAULT, District 95, Missoula, explained the bill, and stated that the purpose of the bill is to clarify the state laws relating to Child Day Care Facilities and to require registration of Family Day Care Homes instead of licensing. The bill also states the rulemaking authority of the Department of Health and Environmental Sciences, new definitions for day-care homes, day-care centers and group day-care homes. There are also included some changes in the violation section and penalties involved. DUSSAULT suggested several amendments.

PROPONENTS:

ELLIE CUMMINS, from the Department of Social and Rehabilitation Services, spoke as a proponent, stating that the Department urged favorable consideration. (EXHIBIT I)

RICHARD L. CRANKSHAW, Coordinator for the Montana Immunization Program, stated the need for identification of all day-care centers, as this registration would help curb communicable diseases among these preschool children. The licensed centers are obligated to ensure that their children are appropriately immunized and this bill, through the registration process, would do this.

MILDRED WEHRMAN, President of the Montana Day Care Association, spoke as a proponent, as well as DR. JOHN ANDERSON, Director of the Department of Health and Environmental Sciences; DEBRA DAVIS from Wee Friends Co-operative of Bozeman, Montana; and DARRELL FURAN, Sanitarian with City-County Health Department of Great Falls.

OPPONENTS: There were none.

QUESTIONS FROM THE COMMITTEE:

REP. WINSLOW asked if a family in a neighborhood took care of three children, would they also have to register.

REP. DUSSAULT stated that they would. One of the reasons for amending the penalty provision was that they register and not be subject to the misdemeanor charge. The records they would have to keep are very minimal.

REP. BARDANOUVE questioned the meaning of the words "provide transportation" in the bill.

REP. DUSSAULT responded that this probably should be amended to say "safety in transportation."

REP. BARDANOUVE asked Rep. Dussault to clarify several other passages in the bill relating to fees paid by the day-care centers.

Discussion followed and the hearing on HB 646 was closed.

HOUSE BILL 664.

REP. JOHN VINCENT, District 78 from Bozeman, chief sponsor of the bill, explained that this bill is designed to help children of dissolved marriages by allocating grant money programs whose activities relate directly to children of dissolved marriages. The funds are not to be available from the account unless there is matching money at the local level. The bill is designed to afford replacement of appropriate role models in the life of the child, seminars to provide skills relating to the loss of a parent, and educational programs designed for both children and specialized groups in the community organized to help these children.

PROPONENTS:

DAVE TONE, of the Big Brothers and Sisters Program in Helena, spoke in favor of the program, stating that 45% of the children in school this year live in a single parent home, and many are underachievers. There are many places and seminars for divorced parents to seek help, but none for the children of these parents.

DICK MEEKER, Chief Probation Officer of Lewis and Clark County, and board member of Big Brothers and Sisters, spoke in favor of the bill, as did JANET HULL of Helena; JEFF LANGEN, member of Friends to Youth, and WILBER SANDERS, member of Friends to Youth, both of Missoula.

OPPONENTS: There were no opponents.

QUESTIONS FROM THE COMMITTEE:

REP. BARDANOUVE questioned the raise in fee for another $20 to register.

REP. VINCENT assured the committee that the fee was correct and would be correctly applied under the wording of the bill.

HOUSE BILL 686.

REP. MCLANE, District 72, sponsor of the bill, explained the

much as they can on their own, but rooming houses don't require things that he feels should be required.

SEKORA, SRS, stated the intent of SRS was to define residential care and light personal care and to require that the facility be licensed according to safety, health and fire safety.

REP. SIVERTSEN asked Skoog to address the question.

SKOOG stated the definition between the two categories seemed to make light personal care a heavier definition than personal care.

REP. SIVERTSEN asked about the term medicine and administration of it.

SKOOG stated that it probably meant that the medication would be self-administered with just a reminder from someone in charge.

REP. BARDANOUVE asked how the new definitions would change conditions for people released from Warm Springs, as an example, to live in a community home.

POWERS responded that there would be no change in standards, conditions or services, just a change in title.

SKOOG stated that the Association has no objection to personal care as a level of care, other than nursing home care, but the facility should be under the auspices of a health care facility, licensed as a personal care facility, and meet health care standards for the safety of those people.

The hearing on HB 686 closed.

EXECUTIVE SESSION.

HB 664.
REP. METCALF moved that HB 664 DO PASS. The motion was seconded and passed with REPS. NILSON, SIVERTSEN, and SEIFERT dissenting.

HB 646.
REP. SEIFERT moved that HB 646 DO PASS. Motion was seconded, and it PASSED UNANIMOUSLY.

REP. SEIFERT moved that the amendments proposed by DUSSAULT DO PASS. REP. WINSLOW stated his concern that if a neighbor wanted to take care of two or three children in the neighborhood, and she couldn't keep the records, how much harassment would she be liable to get. REP. CONN thought that registration would be voluntary, without penalty, and there would be no harassment. REP. SEIFERT moved DO PASS AS AMENDED. It was voted upon and passed with REPS. SWITZER, DEVLIN, SIVERTSEN

and WINSLOW dissenting.

THE CHAIRMAN asked if the committee wanted to look at a third proposal of the certificate of need or just at the two we have. It was decided not to consider a third proposal.

HOUSE BILL 686.
REP. METCALF moved HB 686 DO PASS.

REP. SEIFERT moved the amendment DO PASS. The motion carried UNANIMOUSLY.

Discussion followed on HB 686. The Chairman called for a vote and the motion failed in a tie vote of 7 to 7. The committee decided to reconsider the bill at a subsequent meeting.

The meeting adjourned at 2:30 p.m.

BUDD GOULD, CHAIRMAN

dh

VISITORS' REGISTER

HOUSE Human Services COMMITTEE

BILL HB 646 Date 2/13/81

SPONSOR Dussault

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
John Anderson	Helena	Mayor's Office	✓	
Norma Vestre	Helena	SRS	✓	
Ellyn Cummins	Helena	SRS	✓	
Daniel Inman	Gt Falls	City-County Health	✓	
James Hill	Helena	DHES	✓	
Richard L. Grubbs	"	"	✓	
Millicent Wetsman	Bloss	Mont Day Care Ass.	✓	
Frances M. Hoby	Missoula	" " " "	✓	
Wm. E. Cole	Helena	DHES	✓	
Debra Davis	Bozeman	Wee Friends Coop	✓	
Christine Prince	Bozeman	WEE FRIENDS CO-OP	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Form CS-33
1-81

TESTIMONY ON HOUSE BILL 646

An Act To Generally Revise and Clarify State Laws

Relating To Child Day Care Facilities

The Department of Social and Rehabilitation Services requested introduction of this Bill. This is a result of work and study completed the past year by a State Day Care Task Force comprised of parents, day care providers, personnel from the Department, Department of Health and Environmental Sciences, the State Fire Marshals Office, the Office of Public Instruction and others. The purpose of the Bill is to clarify the State laws relating to Child Day Care Facilities and to require registration of Family Day Care Homes instead of licensing.

The Bill specifically defines all levels of care. A Day Care Center provides care to thirteen (13) or more children. A Group Day Care Home provides care for seven (7) to twelve (12) children. A Family Day Care Home provides care for six (6) or fewer children. The term "Day Care Facility" has been defined to include all of the aforementioned levels of care.

Only Group Day Care is new for Montana. The existing law defines any facility that cares for seven (7) or more children as a center.

Why do we need Group Home Day Care? Parents, providers, members of the State Day Care Association and Social Workers responsible for licensing, have identified many potential applicants, who because of large homes or available staff aides, could provide care in their own homes for more than six (6) children. However, their homes neither can, nor do applicants wish to commence major remodeling, to comply with strict fire safety codes. Group Day Care Homes, therefore, will add an additional, although less regulated, level of care in the providers own home.

What is Registration as opposed to Licensing? Registration involves the Department making regulations available to day care providers who will determine independently that they comply with standards. A provider will simply register with the Department declaring that they comply with the minimal standards for quality care.

What are some of the advantages of Registration? Registration is far less regulatory than the process of licensing. A Social Worker will not inspect a home to determine compliance prior to the applicant being registered to provide day care. The responsibility for Family Day Care Home monitoring and evaluation will be placed primarily on the parent and the consumer who use day care facilities. The procedure for registration is less "intimidating" and has increased, sometimes doubled, the number of available homes in other states that already use the process of registration. Parents will have a broader range of choices in securing a registered family day care home.

The Social Worker's responsibility will change from enforcer or watch dog to an advocate for educational services for parents, providers and the community.

Are there other significant changes in the Bill? In order to avoid revising the Day Care Law during every Legislative Session, the Bill states "The Department shall pay a daily rate established by the Department", instead of specifying the exact dollar amount.

The Bill also clarifies the responsibilities between the Department and the Department of Health and Environmental Sciences. Rule making authority for the health hazards of inadequate food preparation, poor nutrition and communicable diseases are included as responsibilities of the Health Department.

The Health Department ~~and the State Fire Marshal Bureau requested,~~ and the Department included, language giving the Health Department ~~and the Fire Marshall Bureau~~ the authority to charge a fee for any training or inspections for the licensing process.

The Department of Social and Rehabilitation Services urges your favorable consideration of this Bill.

Elly Bernau Cummins
Program Manager V
Social Services Bureau
Community Services Division

sn

PASSED UNANIMOUSLY.

HB 634.
REP. WINSLOW MOVED for a DO PASS on HB 634.

REP. KEYSER MOVED an AMENDMENT as follows: On page 6, line 17, strike "1986" and re insert "1982".

REP. WINSLOW said the reason for "1986" was to help the small hospitals, by giving them additional time.

REP. BARDANOUVE and REP. SIVERTSEN said they found it difficult to accept this bill.

REP. DEVLIN MOVED a SUBSTITUTE MOTION of DO NOT PASS.

Discussion by the committee followed. REP. BERGENE thought there might be an increase in cost to the hospital as a result of the bill.

REP. KEYSER agreed.

REP. WINSLOW said it was important to realize the function of respiratory therapy--to realize that they are dealing with severely sick people. He thought better trained personnel would result in better patient care.

CHAIRMAN GOULD said hospitals wouldn't want to hire anyone who might open the hospital to malpractice suits.

REP. BARDANOUVE was not in favor of anything causing higher hospital costs.

REP. KEYSER said he had had good experience with respiratory therapists and felt the bill was an attempt to improve care.

REP. SIVERTSEN said licensure and establishment of boards is reflected in higher costs.

REP. DEVLIN's motion of DO NOT PASS was seconded and voted upon. The results were 8 YES and 7 NO, the NO votes being cast by REPRESENTATIVES WINSLOW, BERGENE, MANNING, METCALF, PAVLOVICH, NILSON, and MENAHAN.

HB 646.
The hearing on HB 646 was reopened to approve a Statement of Intent.

RUSS JOSEPHSON distributed copies of the Statement.

REP. MANNING MOVED that the committee ACCEPT THE STATEMENT OF INTENT prepared for the bill. The motion was seconded and

PASSED UNANIMOUSLY.

HB 686.
REP. METCALF presented a substitute bill (previously voted in an 8 to 8 tie) for HB 686 (EXHIBIT XIII) with an attached STATEMENT OF INTENT. He said that the DHES, SRS, and the Montana Nursing Home Associaiton all agree with the bill. He said it gives three new definitions. "Department" is now SRS; "protective oversight" and "residential care facility" are also redefined. He explained other provisions of the bill.

REP. BARDANOUVE MOVED the AMENDMENTS as presented by REP. METCALF.

The AMENDMENTS were opposed by REP. SIVERTSEN.

REP. METCALF MOVED for a DO PASS AS AMENDED for HB 686. The motion was seconded and PASSED by a vote of 8 to 7, the NO votes being cast by REPRESENTATIVES KEYSER, SEIFERT, BENNETT, SIVERTSEN, DEVLIN, SWITZER and PAVLOVICH.

HB 646.
RUSS JOSEPHSON read a suggested amendment for HB 646 regarding "regions" which raised the question which regions. He suggested "in each of the Governor's planning regions" be inserted. No official action was taken on the suggestion.

The meeting adjourned at 2:30 p.m.

CHAIRMAN BUDD GOULD

rj

47th LEGISLATIVE SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
HB 504	2-13	3-13,23	3-23				3-23		
HB 517	2-13	3-13,23	3-23				3-23		
HB 531	2-18	3-6,11	3-11						3-11
HB 554	3-4	3-16,23	3-23						3-23
HB 566	3-4	3-23,24	3-24					3-24	
HB 577	3-3	3-23 24	3-24						3-24
HB 632	2-18	3-9,13	3-13				3-13		
HB 642	3-3	PICKED UP BY JEAN FALLAN ON 3-14							
HB 646	3-4	3-16,24	3-24					3-24	
HB 671	3-4	3-23							
HB 686	3-4	3-20,24	3-24						3-24
HB 701	3-4	3-18,25	3-25					3-25	
HB 717	3-5	3-9,13	3-13						3-13
HB 726	3-4	3-20,24	3-24					3-24	
HB 734	3-4	3-18,24	3-24					3-24	
HB 735	3-4	3-18,24	3-24					3-24	

Use a separate sheet for Senate, House Bills, and Resolutions.

With no further opponents, Chairman Hager called on the opponents. Hearing none, the meeting was opened to a question and answer period from the Committee.

Senator Halligan asked if other states certify their social workers. Mr. Bill Evans reported that about ½ of the states are now doing this.

Senator Olson asked if any insurance company would pay at the present time under the present set up. No one could answer this question.

Senator Himsl stated that it appears to him to be a certification bill rather than a licensing bill.

Senator Himsl asked why the board is necessary and perhaps could it not be put under the juridiction of the Department of Health and Environmental Sciences.

Senator Johnson asked if some insurance companies would pay after a "sign off" by a psychiatrist. Some companies will and come will not.

Senator Johnson asked what difference the bill is going to make in regards to a wage scale for social workers. Everyone present felt that there would be no difference.

Senator Johnson asked if the Mental Health Centers were the only ones using certified social workers. Practitioners and family court services also use certified social workers.

Senator Berg asked if one could obtain a maters degree in social work in Montana at the present time. No, this is not possible at the present time, but hopefully it will be in the near future.

Representative Bergene closed. She thanked the Committee for their time and hoped that they would support the bill.

CONSIDERATION OF HOUSE BILL 646: Representative Ann Mary Dussault, sponsor of House Bill 646, gave a brief resume. This bill is an act to revise and clarify the state laws relating to child day-care facilities; to clarify the rule-making authority to the DHES, to require registration of family day-care homes; to provide a penalty for failure to comply.

This bill revises the laws relating to child day-care facilities.

In Section 2, the definition of day-care facility is enlarged to include, family day-care home, a day-care center and a group day-care home. The distinction between the day-care center, group day-care home and family day-care home involves the number of children cared for.

Section 3 provides that a day-care center or group day-care home require licensure while a family day-care home requires registration.

Section 4 the powers and the duties of the department are outlined. The department is given the power to publish minimum standards.

Section 5 the standards are outlined. These standards, involve the qualification of the applicant, the number of staff required, the health and safety standards and ages and number of children to be cared for.

Section 6 involves fire safety certification of licensed homes or centers.

Section 7 involves health inspection and/or training of licensed centers or homes for certification. The health department may charge the applicant a fee for the inspection or training.

Section 8, outlines the procedure for obtaining a license or registration certification.

Section 9, provides that the department develop requirements be met for licensure:

(a) good moral character of staff
(b) sufficient number of staff
(c) safeguards for health, safety, development and well being of the children.
(d) qualifications of staff
(e) records to be kept
(f) limit on number and ages of children to be cared for
(g) precaution against communicable disease
(h) liability insurance

Section 10 allows a six month provisional license or registration certificate but still requires fire and health requirements be met and liability insurance be carried.

Section 11 provides for the renewal of the license or registaration.

Section 12 requires that the department make periodic visits to all licensed facilities to insure minimum standards. The department may investigate and inspect the conditions of licensed and registered facilities. The department must annually visit 15% of the registered facilities.

The department may request a health or fire safety inspection.

Section 13 provides that licenses or registrants maintain records, furnish reports and permit inspections.

Section 14 outlines the reasons for denial, cancellation, reduction, revocation, and non-renewal of licenses or registration certificates.

Section 15 provides for payments by the department and appropriated by the Legislature for children eligible for day-care services.

Section 16 provided a procedure for investigating persons violating the act and outlines the action to be taken against such violators.

Section 17 provides for expanded day-care assistance to needy children to subsidize day-care payments.

Section 18 provides a $500 fine for violation of the act.

Senator Hager asked how many people would be testifying on this bill and informed those present that each side would be allowed 25 in the best interest of everyone.

Norma Vestre, administrator of the Community Services Division of the SRS, this bill is the result of work and study completed the past year by a State Day Care Task Force comprised of parents, day care providers, personnnel from the Department, Department of HES, the State Fire Marshals Office, the Office of Public Instruction and others. The purpose of the bill is to clarify the State laws relating to child day care facilities and to require registration of Family Day Care Homes instead of licensing.

The bill specifically defines all levels of care. A day care center provides care to thirteen or more children. A group day care home provdies care for 7 to 12 children. A family day care home provides care to 6 or fewer children. The term "day care facility" has been defined to include all of the aforementioned levels of care. Only group day care is new for Montana. The existing law defines any facility that cares for 7 or more children as a center. Registration is far less regulatory than the process of licensing. A social worker will not inspect a homes to determine compliance prior to the applicant being registered to provide day care. The responsibility for Family Day Care Home monitoring and evaluation will be placed primarily on the parent and the consumer who use day care facilities. The procedure for registration is less "intimidating" and has increased, the number available homes in other states that already use the process of registration. Parents will have a broader range of choices in securing a registered family day care home.

The social worker's repsonsibility will change from enforcer or watch dog to an advocate for educational services for parents, providers and the community. In order to avoid revising the Day Care Law during every Legislature, the bill stated that the department shall pay a daily rate established by the department instead of specifying the exact dollar amount. The bill also clarifies the responsibility between the Department and the DHES. Rule making authority for the health hazards of inadequate food preparation, poor nutrition and communicable diseases are included as responsibilities of the Health Department. The Health Department requested and the Department included, language giving the Health Department the authority to charge a fee for any training or inspections for the licensing process. SRS urged support from the Committee for the bill.

Janice Watson representing day care centers in Missoula, stated that the bill was designed to allow a greater variety of child care services for the working parents of our State, and at the same time ask for minimal standards to protect the children that must be cared for away from home.

Requesting that a person or persons who are selling services to the public be registered or licensed is not new, and does not infringe upon the rights of a citizen to choose where they shop. For example, a citizens's right to choose a bakery, restuarant, bar, hospital, rest home, beauty shop, barber shop, and others is not being infringerd upon because state law requires that these services be licensed. Are not ones children as i portant?

If someone decides to care for a friend's or relative's children, that is not our concern. That is between the two parties. When a person chooses to care for children as a business, then there must be some guidelines to protect the children and assure that they will not be exploited in order for that person to make a profit. She then urged the support of the Committee.

Josephine Calhoun of Helena that the she strongly feels that some regulations are needed in Day Care to ensure the safety and proper developement of young children. Registration would offer a mechanism to compile a list of all people in an area who would meet regulations. Mrs. Calhoun also stated that she feels that registration would benefit both parents and children and that is what this whole things is about.

Millie Wehrman, representing the Montana Day Care Association, stateds that she sees this bill as a deregulation and a freedom of choice for parents. This would identify people who do day care.

Karen Angel of Billings stated that the present system of licensing is a mandatory system. Registration in effect would deregulation and voluntary. If this state does not include homes the Federal CCFP would be in jeopardy and it has been of benefit to many of out state's children and operators. It also is a voluntary program available to those who wish to upgrade the quality of their services.

Alice Goodhart, representing the Greal Falls Day Care Assn., stated that the State of Montana needs licensing or registration. Day care homes cannot participate in the federal child care food program without licensing or registration. The child care food program reimburses day care homes for serving food according to regulation. This reimbursement helps to keep day care costs down so working parents can afford to have good day care for their children.

Dr. John Anderson, representing the Department of Health, stated that it is very crucial for something to be done about day care centers. He urged support of the bill.

Jean Curtis of Missoula stated that she has done day care in her home for 6 years and has been licensed all during this time. People have the wrong idea as to what being licensed or registered means. It is not an intrusion of your privacy. It is just a way of having you state that you care about children enough to identify yourself. It in no way affects relatives watching relatives children. It is the only safeguard we have for these children. Any person who watches children for a business should expect to need a license, as any other business does. This bill will still allow day care homes to participate in the Child Care Food Program, low cost liability insurance, tax breaks for business in home expenses, training programs sponsored by the Day Care Association throughout the state. This bill puts the responsibility of choosing "QUALITY" care on the parent. The standards are minimal and not hard to meet. Registration is voluntary and the penalty clause does not effect persons caring for 6 or fewer children.

With no further proponents, Chairman Hager called on the opponents.

Senator Dover of Senate District 24 offered some amendments to help improve the bill. He stated that his amendments would make it effect only those that are taking care of children whose parents receive money from SRS.

Cynthia Baumann of Lewistown stated that she resents the implication that she is incapable of choosing a babsitter for her sons without the help of welfare. This should only pertain to welfare recipients. Lost cost liability insurance and federal food cost subsidies are already available to those who choose to accept them.

Carol Brown also of Lewistown hand out written testimony for the Committee from which she read. (See attachments.) She also turned in four pages of names of people opposed to the bill. (See attachments.)

Ben Evans of Helena stood in opposition to the bill and stated that he does not like to see the federal government involved in this aspect of the family life.

Larry Goll, an evangelist from Helena, stated that this bill is against the first amendment to the Constitution of the United States. This bill is also unchristian. Mr. Goll then urged the Committee to please kill this bill.

Phyllis Evans of Lewistown stated that she herself operates a day care center and at the present time she is not licensed or registered nor does she intend to be. SRS does not have the right or the ability to regulate the present day care homes.

The department is taking away parent right and duty to choose a suitable place for their children.

Joan Christopherson of Missoula stated that there is no question that the state has a responsibility for overseeing day care services to children in the best interest of public health. Self regulation as implied in this bill is not univerally adequate, past experience bears this out in endless horror stories. Mrs. Christopherson has worked in day care centers one way or the other for over 40 years. The overall effect of the bill is a weakening of the state's effort to improve care for children in day care, she could not whole heartedly support the bill. She would just as soon live with what is on the books at the present time. This is an anti-regulation bill.

Florence Hagen of Buffalo, stated that it is unnecessary for government intervenion in family decision making. Mrs. Hagen stated that she is very much in favor of Senator Dover's amendments.

With no further time allowed for the opponents Senator Hager allowed the following people to stand in opposition to the bill.

Rosemary Rodgers, Helena
Joe Golden, Helena
Beverly Gluckert, Helena
Olive Rice, Helena
Jeannette Golden, Helena
John Foster
DarrelSauer, Lewistown

Representative Dussault closed by saying that this bill does not stop good babysitters and it never will. She stood in opposition to the amendments presented by Senator Dover. Our government is set up to protect the rights of the un-protected. With that she asked the Committee for a favorable recommendation.

The meeting was then opened to a question and answer period from the Committee.

Senator Johnson asked Mrs. Vestre is the SRS is enforcing this at the present time. Mrs. Vestre stated that he office hopes to visit all of the day care centers eventually. At the present time, they are visiting at least 15% each year.

Senator Johnson asked Dr. Anderson of the Department of Health what his department planned to do if this bill had not been introduced or this bill is not passed. He stated that the department would then revise the present law.

Senator Himsl asked how many children at the present time are attending day care centers. No one could answer his question, however.

Senator Himsl asked Miss Dussault why she objected to Senator Dover's amendments. She stated that she felt that everyone should be under the same regulations.

Senator Hager asked if babysitting co-ops would be covered under this bill. No they would not be covered under this bill.

With no further questions from the Committee the hearing was closed.

ANNOUNCEMENTS: The next meeting of the Public Health, Welfare and Safety Committee will be held on Wednesday, March 18, 1981 at 12:30 in Room 410 of the State Capitol Building.

ADJOURN: With no further business the meeting was adjourned.

eg

CHAIRMAN, TOM HAGER

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

47th LEGISLATIVE SESSION - - 1981 Date Mar. 18

NAME	PRESENT	ABSENT	EXCUSED
Tom Hager	✓		
Matt Himsl	late		✓
S. A. Olson	✓		
Jan Johnson	✓		
Dr. Bill Norman	✓		
Harry K. Berg	✓		
Michael Halligan	late		

Each day attach to minutes.

TESTIMONY ON HOUSE BILL 646

An Act to Generally Revise and Clarify State Laws

Relating to Child Day Care Facilities

The Department of Social and Rehabilitation Services requested introduction of this Bill. This is a result of work and study completed the past year by a State Day Care Task Force comprised of parents, day care providers, personnel from the Department, Department of Health and Environmental Sciences, the State Fire Marshals Office, the Office of Public Instruction and others. The purpose of the Bill is to clarify the State laws relating to Child Day Care Facilities and to require registration of Family Day Care Homes instead of licensing.

The Bill specifically defines all levels of care. A Day Care Center provides care to thirteen (13) or more children. A Group Day Care Home provides care for seven (7) to twelve (12) children. A Family Day Care Home provides care for six (6) or fewer children. The term "Day Care Facility" has been defined to include all of the aforementioned levels of care.

Only Group Day Care is new for Montana. The existing law defines any facility that cares for seven(7) or more children as a center.

Why do we need Group Home Day Care? Parents, providers, members of the State Day Care Association and Social Workers responsible for licensing, have identified many potential applicants, who because of large homes or available staff aides, could provide care in their own homes for more than

six (6) children. However, their homes neither can, nor do applicants wish to commence major remodeling, to comply with strict fire safety codes. Group Day Care Homes, therefore, will add an additional, although less regulated, level of care in the provider's own home.

What is Registration as opposed to Licensing? Registration involves the Department making regulations available to day care providers who will determine independently that they comply with standards. A provider will simply register with the Department declaring that they comply with the minimal standards for quality care.

What are some of the advantages of Registration? Registration is far less regulatory than the process of licensing. A Social Worker will not inspect a home to determine compliance prior to the applicant being registered to provide day care. The responsibility for Family Day Care Home monitoring and evaluation will be placed primarily on the parent and the consumer who use day care facilities. The procedure for registration is less "intimidating" and has increased, sometimes doubled, the number of available homes in other states that already use the process of registration. Parents will have a broader range of choices in securing a registered family day care home.

The Social Worker's responsibility will change from enforcer or watch dog to an advocate for educational services for parents, providers and the community.

Are there other significant changes in the Bill? In order to avoid revising the Day Care Law during every Legislative Session, the Bill states "The Department shall pay a daily rate established by the Department", instead of specifying the exact dollar amount.

The Bill also clarifies the responsibilities between the Department and the Department of Health and Environmental Sciences. Rule making authority for the health hazards of inadequate food preparation, poor nutrition and communicable diseases are included as responsibilities of the Health Department.

The Health Department requested and the Department included, language giving the Health Department the authority to charge a fee for any training or inspections for the licensing process.

The Department of Social and Rehabilitation Services urges your favorable consideration of this Bill.

Norma Vestre Administrator

Community Services Division

NAME: Janice Watson DATE: 3-16-91

ADDRESS: 1230 S 4th W. - Missoula

PHONE: 549-0058

REPRESENTING WHOM? Day Care

APPEARING ON WHICH PROPOSAL: HB 696

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: Attachment

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

TESTIMONY IN SUPPORT OF HB 646

I'm here in favor of HB 646. It is a bill designed to allow a greater variety of child care services for the working parents of our State, and at the same time ask for minimal standards to protect the children that must be cared for away from home.

Requesting that a person or persons who are selling services to the public be registered or licensed is not new, and does not infringe upon the rights of a citizen to choose where they shop. For example: A citizen's right to choose a bakery, resturant, bar, hospital, rest home, beauty shop, barber shop, etc. is not being infringed upon because state law requires these services to be licensed. Are not our children as important as our "hair".

If someone decides to care for a friend's or relative's children, that is not our concern. That is between the two parties. When a person chooses to care for children as a business, then there must be some guidelines to protect the children and assure that they will not be exploited in order for that person to make a profit.

For this reason I, as a concerned citizen and an advocate for quality child care, urge you to support HB 646.

Janice Watson
1330 So. 4th St. W.
Missoula, Montana 59801

NAME: Josephine Calhoun DATE: 3-16-81

ADDRESS: 525 Hayes Helena, Mt.

PHONE: 442-7087

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: HB646

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: I strongly feel that some regulation is needed in Day Care to ensure the safety and proper development of children. My granddaughter is in Day Care and I feel, through learning she is receiving quality care. Registration would offer a mechanism to compile a list of all people in area who would need regulations - I feel also that registration would benefit both parent and child and this, in my opinion, is what this Bill is all about.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Millie Wehrman DATE: 3-16-81

ADDRESS: Rt 3 Hakin Rd, Bilgo, Mt.

PHONE: 373-5957

REPRESENTING WHOM? Montana Day Care Ass.

APPEARING ON WHICH PROPOSAL: HB 646

DO YOU: SUPPORT? ✓ AMEND? No OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jerri Angel DATE: 3-16

ADDRESS: 420 Clark Ave

PHONE: 249-6039

REPRESENTING WHOM? Billings Day Care Assoc

APPEARING ON WHICH PROPOSAL: HB 646 orig

DO YOU: SUPPORT? ✓ AMEND? NO OPPOSE? _____

COMMENTS: The present system of licensing is a mandatory system. Registration on a level would be deregulation and voluntary. But the state does not include Homes the Federal CCFP would be in jeopardy and it has been my intent to ensure all our state children and operators. It also is a voluntary program available to those who wish to upgrade the quality of their services.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Alice Cyr Hart DATE: 3-16-81

ADDRESS: 628 Dris Drive Great Falls

PHONE: 761-7178

REPRESENTING WHOM? Great Falls Day Care Assn

APPEARING ON WHICH PROPOSAL: HB 646

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? [redacted]

COMMENTS: As state of Montana, medical Licensing & Registration Day Care homes can participate in the federal Child Care Food Program without Licensing registration. The Child Care Food Program reimburses day care homes for serving and according to regulations the reimbursement helps the day care centers and enables parents to afford to have good day care for their children.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Tobin Anderson DATE: 3-16-81

ADDRESS: 4655 Ridgewood Dr. Helena

PHONE: 442-6663

REPRESENTING WHOM? Lobby Hunters

APPEARING ON WHICH PROPOSAL: HB 220

DO YOU: SUPPORT? L AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jean Curtiss DATE: 3-16-81

ADDRESS: 1419 Howell - Missoula

PHONE: 721-1705

REPRESENTING WHOM? Young children of Montana

APPEARING ON WHICH PROPOSAL: HB 641

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: I have done day care in my home for 6 years & have been licensed all during this time - I feel people have the wrong idea as to what being licensed or registered means - it is not an intrusion of your privacy - It is just a way of having your state that you care about children enough to identify yourself - It in no way affects relatives ~~who~~ watches relatives children etc. - It is the only safeguard we have for these children - Any person who watches children for a business should expect to need a license - as any other business does.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

This bill will still allow day care homes to participate in the Child Care Food Program, low cost liability insurance, tax breaks for ~~C.F.C.~~ Business in Home expenses & training programs sponsored by Day Care Associations throughout the state. This bill puts the responsibility of choosing "QUALITY" care on the parent. The standards are minimal and not hard to meet.

(over)

Registration is voluntary and ~~the~~ the penalty clause doesn't affect persons ~~who~~ caring for 6 or five children.

Amend HB 646, third reading (blue) copy, as follows:

1. Page 3, line 12.
Following: "basis"
Insert: "that elect to be eligible for payments under sections 53-4-514 and 53-4-516"

2. Page 3, line 15.
Following: "basis"
Insert: that elect to be eligible for payment under sections 53-4-514 and 53-4-516"

3. Page 4, line 18.
Following: "home"
Insert: "as defined in 53-4-501,"

4. Page 4, line 21.
Following: "home"
Insert: "as defined in 53-4-501"

5. Page 5, line 2.
Following: "children"
Strike: "must be"
Insert: "are not"

6. Page 5, line 3.
Following: line 2
Strike: "THE MANNER PROVIDED FOR IN DEPARTMENT REGULATIONS IN"

7. Page 5, line 15.
Following: "home"
Insert: "as defined in 53-4-501,"

8. Page 5, line 22.
Following: "home"
Insert: "as defined in 53-4-501,"

9. Page 13, line 3.
Following: "home"
Insert: "as defined in 53-4-501,"

10. Page 15, line 23.
Following: "certificate"
Insert: "as required by this part"

NAME: Cynthia S. Baumann DATE: March 16, 19

ADDRESS: 1118 W. Water; Lewistown 59457

PHONE: 538-3362

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: H.B. 146

DO YOU: SUPPORT? _____ AMEND? ✓ OPPOSE? _____

COMMENTS: I resent the implication that I am incapable of choosing a babysitter for my sons without the help of welfare.

This should only pertain to welfare recipients.

Where would the money come from that would pay for additional Welfare personnel?

Low-cost liability insurance and federal food cost subsidies are already available to those who choose to accept them.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Carol A. Brown DATE: 3-16-81

ADDRESS: 305 Cedar, Lewistown, Mt. 59457

PHONE: 538-5206

REPRESENTING WHOM? SELF

APPEARING ON WHICH PROPOSAL: HB #646

DO YOU: SUPPORT? _____ AMEND? ✓ OPPOSE? _____

COMMENTS: Please read the attached list of arguments against HB #646.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

ARGUMENTS AGAINST HOUSE BILL # 646:

(1) A bill directed at qualifying day-care centers for federal tax exemptions, low-cost liability insurance, and federal food subsidies should not limit or eliminate the rights of the tax paying majority in the process. This bill takes all rights in determining appropriate day-care away from parents. SRS would have full control.

(2) A bill directed at extending the intrusion and control of the government into the lives of private taxpayers for no justificable purpose lacks true legislative substance.

(3) This bill speaks to the conditions of the place but not to the care given.

(4) Presently many day-care facilities do not meet minimum standards of cleanliness and safety yet are allowed to remain open for service.

(5) This bill, if passed into law, would make it necessary to hire many more SRS employees to enforce it. This would amount to a tremendous government expense. Who would foot the bill? The taxpayers who would also pay for the service? --double duty? Is this desirable ?

(6) This bill, if passed into law, would force many sound babysitters out of business. Since a babysitter has to count her own children under 12 years of age as part of the allowable quota, her paying customers are reduced. This would make it impossible for many babysitters to operate without raising rates, working an added hardship on single parents.

(7) This bill tries to legislate morality by making it a natural by-product of a government inspected, regulated environment. If regulations were consistently formulated throughout the State and inspections were consistently carried out with common sense in mind, then this bill would merit more justification. As it stands now mothers and fathers would have very little say as to the conditions into which their children would be placed. Welfare's track record just isn't that good to deserve the kind of blind trust we would be called upon to place in it.

(8) This bill, if passed into law, suggests that advise would be sought from outside groups concerned with children. It doesn't establish any sort of governing board or body which would make and/or revise rules, police enforcement of rules, or set standards of consistency. Local interpretation would vary widely, as would enforcement. Why is accountability lacking?

(9) If we pay for the services of a babysitter we want the freedom of choice along with it.
If the State pays, then regulation of certain babysitters is warranted to ensure public funds are spent appropriately.

We the undersigned are in opposition to House Bill # 646:

Susan Utterback
Frank H. Ross
Lorraine Schell
Orell Schell
Emilie M. Pitz
Lucille Mapston
Irene Frank
Leonard C. Mapston
[illegible]
Charles M Bristol
Nancy J. Thompson
Darlene Vaughan
Cheryl A. Fry
Franklin R Thompson
Carole Walla
Michelle Anderson
Patti Stanton

Carol Collins
Janet Taylor
[illegible]
Cindy Bristol
[illegible]
[illegible]
[illegible]
[illegible]
Ron Bachman

Robert Bohyer

Vera E. Fleming

Susie Surgeon

Gloria Fuller

Phyllis Evans

Irene White

Joan Swanson

Pat Lowe

We the undersigned are in opposition to House Bill # 646:

Alice Wiley
Dan Mellott
Joan Sullivan
Carol A. Brown
Lauretta Gill
Colleen Knutsen
gretchen miller
Linda Edwards
Edwards
Patricia Carroll
Betty Jensen
Annamae Morris
Nancy L. Freburg
Cynthia S. Baumann
Margaret L. Dyer
James Dyer
Jim Lyon
Betty Jo Finnicum
Chuck Finnicum
Barbara Foster
Holly Carter
Thomas C Curtis
Steve B. Lindberg
Robert A. Smith
Alice Simons
David M. Cowell
Don Perkins
Steven a Ammundson

We the undersigned oppose H. B. 646.

Glenn W Hadden

[illegible]

[illegible]

C. W. Ritter Sr.

[illegible]

[illegible]

Earl Cox

[illegible]

Raymond E. Nelson

[illegible]

[illegible]

Lee E Vetter

[illegible]

J Clark McNally

[illegible]

[illegible]

Forrest Stone

Kendell Bird

Eleanor Herron

Leona Dengel

Macatell Bird

[illegible]

Shirley Mc Lee

[illegible]

Shirley Cooper

Jackie Ward

[illegible]

Jeri Lynn Haugen

Shawn K Pfeifer

[illegible]

Margaret E. Finn

Patricia K. Todd

Payne Jo Peterson

[illegible]

James M Todd

NAME: [illegible] DATE: 3-6-91

ADDRESS: 231 NE [illegible]

PHONE: 538-8472

REPRESENTING WHOM? self

APPEARING ON WHICH PROPOSAL: HB 424

DO YOU: SUPPORT? _____ AMEND? X OPPOSE? _____

COMMENTS: I'm not sure I should be speaking on this bill but I would like to see it amended to say that if any of the money is used for lawn maintenance it will not [illegible] water use.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Joan Christopherson DATE: 3-16-81

ADDRESS: 910 Ronald Missoula, MT 59801

PHONE: 542-2310

REPRESENTING WHOM? Unorganized Day care children and parents

APPEARING ON WHICH PROPOSAL: HB 696

DO YOU: SUPPORT? _____ AMEND? X OPPOSE? _____

COMMENTS: 1. There is no question that the state has a responsibility for overseeing day care services to children as we regulate barber & beauty schools, food services etc in the interests of public health & welfare. Other laws limit the kinds of people who may own & operate day care centers.

2. Such regulation as implied in this bill's is not universally adequate - not experience bears this out in endless horror stories. (I have worked in day care one way or another for 40 years.)

3. To the extent that this bill leads to better regulation of day care I favor it. But

4. Because I fear its overall effect will be a weakening of state efforts to improve care for children in day care, I cannot wholeheartedly support it. I would, therefore, be in favor of living with what is now on the books.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

requirement

NAME: Karen Thiessen DATE: May 16, 97

ADDRESS: Bentley, AB

PHONE: 748-3755

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL: C-45 64

DO YOU: SUPPORT? ____ AMEND? ✓ OPPOSE? ____

COMMENTS: Landowners Grit intervention in Lacombe Riverlot Meeting

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Judith H Carlson DATE: 3/16/81

ADDRESS: Helena

PHONE: 9-5622

REPRESENTING WHOM? SRS

APPEARING ON WHICH PROPOSAL: 3 4

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Rose Mary Lodgen DATE: 3/16/18

ADDRESS: 1517 Flowerree - Helena, MT. 5960

PHONE: 443-5780

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: HB 646

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: We adamantly refuse further government intrusion in our private homes.

I oppose vehemently that it is open ended to which further promulgation could & would occur. It is a blank check and cannot be allowed in its present form.

Our homes are our castles and we are outraged at these endless intrusions. Ultimately many will give up after being harassed and the result will be Govt Controlled day care centers. This encroaches our precious family. I vigorously oppose HB 646. Many have asked me to testify in their behalf while they are home caring for these precious little ones in a home atmosphere.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: _____ DATE: 3-16-81

ADDRESS: _____

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: _____

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jan Fleming DATE: 2-16-21

ADDRESS: 914 Ave. "B" N.W. Ft. Jan ND. 58401

PHONE: 412-2200

REPRESENTING WHOM? Ft Jan Long Gun Association

APPEARING ON WHICH PROPOSAL: HB 146

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? [redacted]

COMMENTS: I believe we need to [illegible] protections for law abiding citizens as a matter of fact I put the Fingerprint to work down at the Sheriffs Office

Two hunting related fatalities last year and long guns were involved in neither. Ft Jan Long Gun Club Trap Shoot which is open to the public that uses long guns both by children and adults.

I'm sure we can address any concerns we should have in case of gun violence however all this will do is put more guns in the hands of law abiding citizens.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

1529 Chatham Street
Helena, Montana 59601

March 16, 1981

enate Public Health Com.
rator Tom Hager, Chairman
Vote against SB 646!

Good fathering and good mothering
egin with responsibility. One does not
come more reconcilable by removing
esponsibility. The authority of the family
eeds to be strengthened today — not
eakened. Let the family alone. Parents
know what's best for their own
hildren.

I resent bureaucrats constantly be-
ittling parents.

Stop telling parents that social service
perts can do a better job than they in
aring their own children.

Pride in one's accomplishments, self
teem can never be realized by govern-
ent handouts.

Let alone, parents can be innovative,
terprising, productive in caring for their
n children and at no cost to
yone!

Mrs. Beverly Glueckert

MINUTES OF THE MEETING
PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE
MONTANA STATE SENATE

MARCH 24, 1981

The meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman, Tom Hager, on Tuesday, March 24, 1981 at 12:30 in Room 410 of the State Capitol Building.

ROLL CALL: All members were present. Senators Himsl, Norman, and Halligan arrived late. Kathleen Harrington, Staff researcher, was also present.

DISPOSITION OF HOUSE BILL 646: Representative Ann Mary Dussault in the sponsor of HB 646. This bill is an act to revise and clarify the state laws relating to child day-care facilities; to clarify the rulemaking authority of the Department of Health and Environmental Sciences; to require registration of family day-care homes; to provide a penalty for failure to comply.

The amendments proposed by Senator Dover were reviewed. Senator Johnson stated that she like the amendments proposed by Senator Dover as they would make it affect only those homes which are taking care of children which recieve day-care payments from either state or federal funds.

A motion was made by Senator Johnson to adopt the Dover amendments.

Senator Berg stated that the COmmittee had an obligation to protect the public.

Senator Himsl stated that the parents have the first responsibility.

A Roll Call Vote was made on the motion of Senator Johnson. Motion carried. (See attachments.)

The amendments proposed by Representative Dussault were reviewed.

A motion was made by Senator Halligan to accept amendment number 1 which would change the number requirements of homes which care for children. Motion carried.

A motion was made by Senator Johnson to accept amendment #2 which is the penalty clause being deleted. Motion carried with all Senators voting "yes" except Senators Halligan and Berg who voted "no".

A motion was made by Senator Johnson that House Bill 646 BE CONCURRED IN, as amended. Motion carried with all Senators voting "yes" except Senator Olson who voted "no".

A motion was made by Senator Berg to amend the Statement of Intent to coincide with the adopted amendments to the bill. Motion carried.

A motion was made by Senator Berg that the Statement of Intent BE CONCURRED IN, as mended. Motion carried.

Senator Johson will carry this bill on the floor of the Senate.

DISPOSITION OF HOUSE BILL 726: Representative John Vincent is the sponsor of House Bill 726. This bill is an act to allow certified school employees to administer a prescribed medicine to a student if the trustees of the school district have established a written policy that includes certain conditions for the administration of prescribed medicines.

A motion was made by Senator Berg to amend the bill to state that teachers do not have to administer the medicine if they do not wish to do so.

Senator Halligan asked what is considered a certified person. Is if the superintendent, principal, vice principal or the teachers.

Senator Berg stated that it is all of the above mentioned and is defined in the law.

A vote was taken on the motion of Senator Berg. Motion carried.

A motion was made by Senator Johnson that House Bill 726 BE CONCURRED IN, as amended.

Senator Berg stated that this is another issue "pushed off" on the schools that should be not done.

Senator Johnson stated that she felt that this bill has many safeguards.

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 3-24-81 HOUSE Bill No. 646 Time

NAME	YES	NO
TOM HAGER	✓	
MATT HIMSL	✓	
S. A. OLSON	✓	
JAN JOHNSON	✓	
BILL NORMAN	✓	
HARRY K. BERG		✓
MICHAEL HALLIGAN		✓

Secretary
ELAINE GRAVELEY

Chairman
SENATOR TOM HAGER

Motion: A motion was made by Senator Johnson that the amendments proposed by Senator Dover to HB 646 be adopted. Motion carried.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

MARCH 24, 19 81

MR. PRESIDENT:

We, your committee on PUBLIC HEALTH, WELFARE & SAFETY

having had under consideration STATEMENT OF INTENT, HOUSE Bill No. 646

Respectfully report as follows: That STATEMENT OF INTENT, HOUSE Bill No. 646

third reading copy be amended as follows:

1. Page 1, line 13.
Following: "for"
Strike: "6 or fewer"
Insert: "three to six"

2. Page 1, line 14.
Following: "children"
Insert: "from seperate families"

~~XXXXXXX~~ And, as so amended, BE CONCURRED IN

PG

TOM HAGER Chairman.

STATE PUB. CO.
Helena, Mont.

STANDING COMMITTEE REPORT

MARCH 24, 19 81

MR. PRESIDENT:

We, your committee on PUBLIC HEALTH, WELFARE & SAFETY

having had under consideration STATEMENT OF INTENT, HOUSE Bill No. 646

Respectfully report as follows: That STATEMENT OF INTENT, HOUSE Bill No. 646

third reading copy be amended as follows:

1. Page 1, line 13.
Following: "for"
Strike: "6 or fewer"
Insert: "three to six"

. Page 1, line 14.
Following: "children"
Insert: "from seperate families"

~~XXXXXX~~ And, as so amended, BE CONCURRED IN

PG

TOM HAGER Chairman.

STATE PUB. CO.
Helena, Mont.

STANDING COMMITTEE REPORT

MARCH 24, 1981

MR. PRESIDENT:

We, your committee on PUBLIC HEALTH, WELFARE & SAFETY

having had under consideration HOUSE BILL Bill No. 646

DUSSAULT (JOHNSON)

Respectfully report as follows: That HOUSE Bill No. 646

third reading copy be amended as follows:

1. Page 3, lines 11 and 12.
Following: "to"
Insert: "three to"
Following: "six"
Strike: "or fewer"
Following: "children"
Insert: "from seperate families"

2. Page 3, line 12.
Following: "basic"
Insert: "that elect to be eligible for payments under sections 53-4-514 and 53-4-516"

3. Page 3, line 15.
Following: "basic"
Insert: "that elect to be eligible for payment under sections 53-4-514 and 53-4-516"

~~AMEND~~ DO PASS

CONTINUED

Chairman.

STATE PUB. CO.
Helena, Mont.

4. Page 4, line 18.
Following: "home"
Insert: "as defined in 53-4-501,"

5. Page 4, line 21.
Following: "home"
Insert: "as defined in 53-4-501,"

6. Page 5, line 2.
Following: "children"
Strike: "must be"
Insert: "are not"

7. Page 5, line 3.
Following: line 2
Strike: "THE MANNER PROVIDED FOR IN DEPARTMENT REGULATIONS IN"

8. Page 5, line 15.
Following: "home"
Insert: "as defined in 53-4-501,"

9. Page 5, line 22.
Following: "home"
Insert: "as defined in 53-4-501,"

10. Page 13, line 3.
Following: "home"
Insert: "as defined in 53-4-501,"

11. Page 15, line 23.
Following: "certificate"
Insert: "as required by this part"

12. Page 17, line 23.
Strike: Section 18 in its entirety
Renumber: Subsequent subsection

AND, as so amended, BE CONCURRED IN

W/C

Statement of Intent Attached

TOM HAGER Chairman.

STATE PUB. CO.
Helena, Mont.

Amendment to HB 646

1. Page 3, lines 11 and 12
   Following: "to"
   Insert: "three to"
   Following: "six"
   Strike: "or fewer"
   Following: "children"
   Insert: "from separate families"

2. Page 17, line 23
   Strike: Section 18 in its entirety
   Remember: Subsequent subsection